

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Bisaria et al** Attorney Docket No.: **CL1366USNA**
Serial No.: **09/479,712** Group Art Unit: **1774**
Filed: **January 7, 2000** Examiner: **Gray, J.**
For: INJECTION MOLDABLE CONDUCTIVE AROMATIC THERMOPLASTIC
LIQUID CRYSTALLINE POLYMERIC COMPOSITIONS

DECLARATION
of
Yuqi Cai
Under 37 C.F.R. § 1.131

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

1. I, Yuqi Cai, hereby declare that I am a citizen of Canada residing at 710-84 Runnymede Road, Kingston, Ontario, Canada K7M 2A2 and do solemnly and sincerely declare as follows:-
2. I graduated with a Ph.D. in Chemical Engineering. I have worked for DuPont Canada Inc. for over 3 years as a Research Scientist.
3. I am one of the named inventors in U.S. Patent Application Serial No. 09/479,712, filed January 7, 2000, (My Patent Application), and as such I am familiar with its contents. In addition, I have read the Examiner's Report mailed March 30, 2001.
4. I understand that the U.S. Patent Examiner has cited U.S. Patent No. 6,180,275 issued January 30, 2001 to Braun et al rejecting claims 9-12, 16-17, 20, 38 and 40 of the aforementioned application as being anticipated by the patent. I understand that Application No. 09/195,307 upon which this patent was granted, was filed on November 18, 1998.
5. I further understand that the claims of this cited patent are directed to a composition for forming an electrically conductive polymer composite for use in an electrochemical cell.

6. I also understand that the Examiner in the Examiner's Report has rejected the above claims of My Patent Application over the Braun et al U.S. Patent 6,180,275 and that to overcome this rejection I need to show that I had conceived the Invention of My Patent Application and reduced it to practical form before the filing date of November 18, 1998.

7. Attached as Exhibit "A" to this my Declaration are pages from my Laboratory Notebook No. 2557 which set out the formulations of a number of plaques compositions that were injection or compression molded in a number of experiments conducted by me. The compositions comprise Liquid Crystal Polymer (LCP) in various combinations with Unsized Nickel-coated Carbon Fibres (UNCF) and Thermocarb® graphite powder (T/C). Pages 5 to 12 are dated September 12, 1998 and signed by me, and these were witnessed by D.A. Harbourne on October 19, 1998. Pages 13 (two) is dated September 18, 1998 and signed by me, and witnessed by D.A. Harbourne on October 19, 1998. Page 14 which describes the operation of the Nissei injection molding machine, was dated September 17, 1998 and signed by me, with D.A. Harbourne witnessing on October 19, 1998. Page No. 14 continues from Pages No. 13, which shows measurements by Volume Resistance and Volume Resistivity taken and recorded by me of the molded plaques or discs. Further pages from my Lab Notebook No. 2557 are attached which further describe the experiments conducted by me which bear various dates in September and October, 1998 and were all witnessed by D.A. Harbourne on October 19, 1998. The experiments studied the effect of T/C or fibre on conductivity of the various composites produced by the method of the invention.

8. In my opinion, the invention described and claimed in My Patent Application was completed before the earliest date of record of the cited U.S. Patent No. 6,180,275, which is November 18, 1998.

9. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true, and further I am aware that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardise the validity of My Patent Application or any patent issuing thereon.

Date: October 1, 2001


Yuqi Cai